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I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Commissioner For Patents, Alexandria, VA 22313-1450.		
Name: <u>Anna Massiou</u>	<u>9/1/06</u>	Date
Signature: <u>AMM</u>		

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Berman, et al  
Serial No.: 10/632,991  
Filed: 08/01/2003  
For: Method and System of Monitoring a Patient

Attorney Docket No. MEDO-P001 CONT  
Examiner: WINAKUR, ERIC FRANK  
Art Unit: 3768

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop Amendment

### AMENDMENT TRANSMITTAL LETTER

Dear Sir:

1. **TRANSMITTED DOCUMENTS:** the following documents relating to the above-identified patent application are being transmitted herewith.

a. An Amendment for this application: 4 pages.  
 b. Substituted Formal Drawings: \_\_\_\_\_ sheets.  
 c. A Petition For Extension of Time For Response under 37 CFR 1.136(a) incorporated herein.  
 d. An Information Disclosure Statement under 37 CFR 1.97(b)  1.97(c)  
 e. A stamped, self-addressed, return postcard.  
 f. A Check (# \_\_\_\_\_) for \$ \_\_\_\_\_ to cover required fees of this correspondence.

2. **APPLICANT FILING STATUS:**

a. Applicant is a Large Entity.  
 b. Applicant is a Small Entity.

3. **EXTENSION OF TIME:**

a. Applicant petitions for an extension of time under 37 C.F.R. 1.136 for the total number of months checked below (fees pursuant to 37 C.F.R. 1.17(a)-(d).

<u>Extension of Time</u>	<u>Large Entity Fee</u>	<u>Small Entity Fee</u>
i. One (1) month .	<u>      </u> \$ 110.00	<u>      </u> \$ 55.00
ii. Two (2) month .	<u>      </u> \$ 420.00	<u>      </u> \$ 210.00
iii. Three (3) month .	<u>      </u> \$ 950.00	<u>      </u> \$ 475.00
iv. Four (4) month .	<u>      </u> \$ 1,480.00	<u>      </u> \$ 740.00
v. Five (5) month .	<u>      </u> \$ 2,010.00	<u>      </u> \$ 1005.00

Extension Time Fee Total: .00.

b. Applicant believes that no extension of time is required. However, this conditional petition is being made in case Applicant has inadvertently overlooked the need for a petition for extension of time, the Commissioner is hereby authorized to charge any necessary amount associated with this communication or credit any overpayment to Deposit Account No: **500482**.

4. **FEE CALCULATION:**

The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid	Present Extra Claims	Fee Rate	Total
a. Total Claims	8	- 20 =	0	x \$ 18.00 Large Entity x \$ 9.00 Small Entity	\$ .00
b. Independent Claims	1	- 3 =	0	x \$ 86.00 Large Entity x \$ 43.00 Small Entity	\$ .00
c. Multiple Dependent Claims Added By This Amendment				x 290.00 Large Entity x 145.00 Small Entity	\$ .00
d. Extension of Time Fee Total, if any, from above EXTENSION OF TIME section 3a.					\$ .00
e. Additional Fees Required With This Correspondence i) 1.17 (p) Fee for Information Disclosure under 1.97(c)					\$ .00
e. Total Fees					\$ .00

5. **PAYMENT OF FEES**

The full fee due in connection with this communication is provided as follows:

The Commissioner is hereby authorized to charge the fees associated with this communication or credit any overpayment to **Deposit Account No: 500482**. A duplicate copy of this authorization is enclosed.

A Check # \_\_\_\_\_ for \$ \_\_\_\_\_ for the above specified Total Fee is enclosed. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge the necessary additional amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.

Applicant does not believe that any payment of fee is needed in association with this communication. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge any necessary amount associated with this communication or credit any overpayment to **Deposit Account No: 500482**.

Please direct all correspondence concerning the above-identified application to the following address:

**CUSTOMER NO: 22877**

**FERNANDEZ & ASSOCIATES, LLP**  
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**Phone: (650) 325-4999**  
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Respectfully submitted,

DENNIS S. FERNANDEZ  
 Registration No. 34,160

9/07/02

Date

IFCC



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventors: Berman, et al. Attorney Docket No.: MEDO-P001 CONT  
Serial No.: 10/632,991 Group Art Unit: 3768  
Filed: 08/01/2003 Examiner: Winakur, Eric Frank  
Title: Method and System of Monitoring A Patient

**RESPONSE TO OFFICE ACTION**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop Amendment

In response to the Official Action dated 08/01/2006, the examiner has stated that Claims 29-44 are subject to restriction or election requirement as follows:

Species A: Claims 29-36

Species B: Claims 37-44

In response to the Official Action dated August 1, 2006, Applicants hereby elect the Claims in Species A, namely, Claims 29-36. This election is made without traverse.

Please withdraw Claims 37-44 from further prosecution.